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ACTION AF-01

INFO	LOG-00	AID-01	AMAD-01	CIAE-00	OASY-00	DODE-00	EB-01
	FBIE-00	H-01	TEDE-00	INR-00	IO-10	L-01	ADS-00
	M-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01	PM-00
	PRS-01	P-01	SP-00	SR-00	SS-00	STR-01	TRSE-00
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P 231448Z MAR 95
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 0362
RWANDA COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 KIGALI 000889

E.O. 12356:NA
TAGS: PGOV, PHUM, PREL, PINS, RW, BU
SUBJECT: PRESIDENT BIZIMUNGU SINGS IN A
DIFFERENT KEY ON ARRESTS, PRISONS

REF: KIGALI 856

1. C -- ENTIRE TEXT

2. SUMMARY: IN MY MARCH 22 MEETING WITH THE PRESIDENT TO
RAISE OUR CONCERNS OVER THE MOUNTING NUMBER OF ARRESTS IN
RWANDA, HE TOOK A VERY DIFFERENT VIEW OF THINGS FROM THAT
OF HIS PRIME MINISTER. THE PRESIDENT EMPHASIZED THE
ESTABLISHMENT OF JUDICIAL PROCESS AS THE REMEDY FOR
PRISON CROWDING; TOLD ME THAT THE GOR WAS TRYING TO PHASE

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OUT UNAMIR; IS UNHAPPY WITH THE PERFORMANCE OF HUMAN RIGHTS MONITORS; AND ASKED THAT THE U.S. SHOULD PRESSURE UPRONA TO REIN IN EXTREMISTS BEFORE THERE IS "AND EXPLOSION" IN BURUNDI. END SUMMARY.

THE ORGANIZERS OF GENOCIDE ARE UNREPENTANT

3. ACCOMPANIED BY ADCM WHALEY, I CALLED ON PRESIDENT BIZIMUNGA IN THE MORNING OF MARCH 22. I AIRED OUR CONCERNS ABOUT THE INCREASING PACE OF ARRESTS, THE LACK OF DUE PROCESS IN THE ARREST PROCEDURE, THE OFTEN INHUMANE CONDITIONS IN WHICH PRISONERS ARE HELD, AND THE RESULTANT COMPLICATION OF DONOR EFFORTS TO HELP THE JUSTICE SYSTEM COPE WITH THE HUGE AND EVER-INCREASING CASeload. THE PRESIDENT BEGAN HIS RESPONSE BY EXPRESSING HIS GRATITUDE FOR THE UN RESOLUTION CALLING ON ALL MEMBER COUNTRIES TO SEEK OUT THE ORGANIZERS OF GENOCIDE IN RWANDA, WHOM, THE PRESIDENT OBSERVED, "SEEM NOT TO HAVE ANY REPENTANCE" BUT MAY NOW NONETHELESS BE SUBJECT TO ARREST AND DETENTION WHEREVER THEY MAY BE FOUND. CONTRARY TO WHAT THE PRIME MINISTER TOLD ME ON MARCH 20 (REFTEL PARA 8), THE PRESIDENT SAID THAT THE TRIAGE COMMISSION WAS STILL WORKING AND ATTEMPTING TO SORT OUT THE MOST GLARING CASES OF IMPROPER ARRESTS. FURTHER, THE GOVERNMENT HAD PROVIDED THE PARLIAMENT A LIST OF NOMINEES FOR THE SUPREME COURT; ONCE PARLIAMENT HAD CHOSEN AMONG THEM THE SUPREME COURT COULD BEGIN THE JOB OF SETTING UP LOWER COURTS AND APPOINTING MAGISTRATES.

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THE DILEMMA: TOO MANY ARRESTS, OR NOT ENOUGH?

4. THE PRESIDENT EXPRESSED SOME EXASPERATION AT THE DILEMMA IN WHICH HE AND HIS GOVERNMENT FINDS ITSELF. HE SAID THAT ON ONE HAND, THERE ARE THOSE WHO SAY THAT THERE ARE TOO MANY ARRESTS. ON THE OTHER HAND, HE SAID, "PEOPLE" ARE COMPLAINING THAT NOT ENOUGH ARRESTS HAVE

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BEN MADE. THE GOVERNMENT IS TRYING TO STRIKE A BALANCE. THE OVERCROWDING AND INHUMANE CONDITIONS ARE NOT THE RESULT OF BAD INTENTIONS, BUT OF MISTAKES, LACK OF RESOURCES, AND THE CONTINUING PRESSURE FROM THE POPULATION FOR FURTHER ARRESTS. IT IS DIFFICULT, THE PRESIDENT SAID, TO PREACH RECONCILIATION WHEN PEOPLE HAVE NOT CHANGED THEIR MINDS -- THOSE WHO COMMITTED GENOCIDE REMAIN UNREPENTANT, THE FAMILIES OF THEIR VICTIMS ARE CRYING OUT FOR JUSTICE. THEN, TELLING ME THAT THE GOVERNMENT WAS STUDYING WAYS TO BUILD NEW PRISONS QUICKLY, THE PRESIDENT CLOSED THIS PART OF THE CONVERSATION BY SAYING THAT HE HAD NOTED MY CONCERNS AND WOULD CONSIDER MY SUGGESTIONS.

PHASE OUT UNAMIR, DUMP THE MONITORS

6. THE PRESIDENT THEN TURNED TO HIS OWN AGENDA. HE TOLD ME THAT HE, THE VICE PRESIDENT, AND THE PRIME MINISTER WERE MEETING SYGSR KHAN AND UNAMIR COMMANDER TOUSSIGNANT ON HOW TO PHASE UNAMIR OUT OF RWANDA IN THE FACE OF WHAT
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THE PRESIDENT CALLED GROWING COMPLAINTS FROM THE POPULATION ABOUT THE MISBEHAVIOR OF UNAMIR.

7. THE PRESIDENT THEN ADDED THAT HE WAS ALSO DISTURBED BY THE ACTIVITIES OF SOME OF THE HUMAN RIGHTS MONITORS NOW IN RWANDA. THE GOR HAD ACCEPTED THEIR PRESENCE IN ORDER TO REASSURE THE POPULATION, MONITOR THE HUMAN RIGHTS SITUATION, AND HELPING RECONCILIATION BY HELPING INVESTIGATIONS INTO GENOCIDE, HE SAID. INSTEAD, HE COMPLAINED, SOME MONITORS HAVE ENGAGED IN INAPPROPRIATE BEHAVIOR. SOME THINK THAT THEY ARE IN RWANDA TO CRITICIZE THE GOVERNMENT, HE SAID, OR EVEN ACTIVELY TO OPPOSE IT. HE CLAIMED THAT SOME MONITORS HAD BEEN HEARD OPENLY TO REPEAT ANTI-GOVERNMENT SLOGANS AND EVEN TO ASSIST IN SPIRITING GENOCIDE SUSPECTS OUT OF RWANDA. "IT IS OBVIOUS THAT RWANDAN SOCIETY HAS A PROBLEM," THE PRESIDENT TOLD ME. "BUT WE NEED PEOPLE HERE WHO WILL TRY

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TO HELP US, NOT MAKE THINGS WORSE." (COMMENT: THE
PRBIDENT'S COMPLAINT THAT HUMAN RIGHTS MONITORS ARE
EXCEEDING THEIR MANDATE MAY HAVE SOME BASIS IN FACT. US
MONITORS HAVE EXPRESSED CONCERN TO THIS EMBASSY ABOUT THE

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AGGRESSIVE NEGATIVE ATTITUDE OF THEIR COLLEAGUES WHO SEEM MORE INTENT ON SCORING POINTS AGAINST GOVERNMENT THAN FINDING WAYS TO HELP IT OBSERVE HUMAN RIGHTS. END COMMENT.)

8. I COUNTERED BY NOTING THAT THE INTERNATIONAL PRESENCE -- UNAMIR, HUMAN RIGHTS MONITORS, AND NGOS -- WAS NECESSARY FOR THE ACHIEVEMENT OF THE GOALS OF NATIONAL RECONCILIATION, RETURN OF REFUGEES, AND REBUILDING THE CAPACITIES OF GOVERNMENT TO WHICH HIS GOVERNMENT WAS
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COMMITTED. IT WAS IMPORTANT THAT MANDATES BE UNDERSTOOD AND OPERATIONAL AGREEMENTS RESPECTED ON BOTH SIDES. MISUNDERSTANDINGS SHOULD BE WORKED OUT IN CONSULTATION WITH UN AUTHORITIES. IN THIS REGARD THE CAMPAIGN ON RADIO RWANDA ENERGETICALLY BROADCASTING DOUBTFUL STORIES ABOUT UNAMIR HAD BEEN MOST UNHELPFUL.

BURUNDI ON THE BRINK

9. THE PRESIDENT SUGGESTED THAT THE U.S. INTERVENE AT A HIGH LEVEL TO COUNSEL LEADERS IN BURUNDI TO REIN IN THE EXTREMISTS, WHOM HE BLAMED FOR THE TROUBLE THERE. "THINGS ARE GETTING OUT OF HAND," HE SAID. POWERFUL COUNTRIES, PERHAPS THE SECURITY COUNCIL, MUST INTERVENE. "OTHERWISE, THERE WILL BE AN EXPLOSION SOON." I ACKNOWLEDGED HIS PLEA AND SUGGESTED THAT PERHAPS BURUNDI'S CLOSE NORTHERN NEIGHBOR COULD ALSO GIVE USEFUL COUNSEL. THE PRESIDENT THEN ADDED HIS PERSONAL VIEW THAT UPRONA IS TO BLAME FOR THE UNREST IN BURUNDI. FRODEBU HAD SHOWN GOOD WILL BY MAKING NECESSARY COMPROMISES HOWEVER UPRONA WANTED TO ENTIRELY CONTROL THINGS AS THEY HAD BEFORE.

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10. PRESIDENT BIZIMUNGU WAS FRIENDLY AND RECEPTIVE TO OUR MESSAGE, METHODOICAL IN HIS RESPONSE, BUT CERTAINLY RBFLBCTED ON IT IN A FLATTER KEY THAN DID PRIME MINISTER
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TWAGIRAMUNGU TWO DAYS AGO. WHILE WE WOULD AGREE THAT ESTABLISHING JUDICIAL PROCEDURE IS THE LONG-TERM ANSWER, THE PRESIDENT'S LACK OF FOCUS ON THE BURGEONING PROBLEMS IN THE PRISONS IS TROUBLING. HIS COMPLAINTS AGAINST UNAMIR AND HUMAN RIGHTS MONITORS, WHILE OCCASIONED BY SPECIFIC INSTANCES, MAY REFLECT A TENDENCY TO BLAME EXTERNAL FORCES FOR INTERNAL PROBLEMS. THE IDEA OF PHASING OUT UNAMIR IS CERTAINLY PREMATURE. THE DIFFERENCE IN THE MESSAGES COULD BE A SYMPTOM OF WHAT THE PRIME MINISTER TALKED ABOUT ON MARCH 20: THE CIVILIANS REALLY AREN'T IN CHARGE HERE, THE ARMY CALLS THE SHOTS, AND UNTIL THEY SET THE TUNE THE MESSAGE MAY COME OUT IN MIXED KEYS. IT IS ALSO A SYMPTOM OF THE DIVISIONS WITHIN GOVERNMENT OVER THE VEXING QUESTION OF WHAT TO DO ABOUT THE MOUNTING ARRESTS, THE FAILURE OF THE COURTS TO DEAL WITH THEM, AND THE CLAMOR FOR JUSTICE AMONG THE SURVIVORS. RAWSON

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